

PROB 12B
(7/93)

Report August 6, 2012

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AUG 07 2012

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

Name of Offender: Melissa Rachelle Flannery

Case Number: 2:08CR02041-003

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 2/11/2009

Type of Supervision: Supervised Release

Original Offense: Conspiracy and Aiding and
Abetting, 18 U.S.C. § 371 & 2

Date Supervision Commenced: 2/15/2012

Original Sentence: Prison - 12 Months; TSR - 36
Months

Date Supervision Expires: 12/10/2012

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 24 You shall complete 15 hours of community service work, at the rate of not less than 15 hours per month at a not-for-profit site approved in advance by the supervising probation officer. The hours are to be completed in full no later than September 30, 2012.

CAUSE

Ms. Flannery was granted permission to work at a local restaurant during an annual weekend event. The following Monday, July 16, 2012, she provided a urinalysis sample at Merit Resource Services, and laboratory analysis determined the specimen was positive for the presence of alcohol. Ms. Flannery admitted to relapsing and drinking alcohol on the night of July 14, 2012. She explained she had worked a 13-hour shift during the event and after closing and clean-up, she was socializing with co-workers and made a poor decision and drank some alcohol. She voiced sadness and disappointment over her poor judgement. Ms. Flannery has agreed that the structure of a supportive relapse prevention program is essential to continue the evolution of her new coping skills and recovery.

Ms. Flannery completed intensive outpatient services and aftercare in May 2012. She regularly attends NA groups and has continued to live in a clean and sober home. She was intricate and proactive in locating and facilitating the opening of a new clean and sober home that offers housing for women and their children. The residence allows women in treatment and recovery, a place where they and their children can live and be in a substance free environment. Ms. Flannery is one of the house managers and has seven to eight house mates at any given time. She has been gainfully employed and will begin technical school in September of this year. She has continued to pay her restitution as ordered. Additionally, her children are now living with her 4 nights a week, and her family court matter is progressing toward complete re-unification.

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Ms. Flannery was given an opportunity to work the event, which allowed her to supplement her income through tips. She believed she was strong enough to resist all substance temptations but now realizes her decision for financial gain compromised her sobriety, and she succumbed to a weakness that may have been exacerbated by exhaustion. However, Ms. Flannery said these circumstances do not excuse her actions. She again expressed a high level of disappointment in herself and decision. She recognizes the importance of consequences for her behavior of drinking alcohol and agrees to complete 15 hours of community service at a local not-for-profit program to demonstrate her acceptance of responsibility.

This officer understands relapse is a part of recovery, and Ms. Flannery has been committed to her treatment and sobriety, making this action confusing and disappointing. Ms. Flannery believed she could handle the event and had the strength to resist any temptations, but recognizes now that, even though she has developed and progressed in her recovery and new coping skills, she is still subject to the potential of reverting to old behaviors, given the right circumstances and environment. She has voiced a strong commitment to her sobriety and flourished while in treatment, therefore, it appears she would benefit from the structure and support of an aftercare program.

Based on the information outlined above, this officer believes having Ms. Flannery re-engage in structured treatment and complete 15 hours of community service is an appropriate action to hold Ms. Flannery accountable for her action, as well as support her sobriety and continued lifestyle changes.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/06/2012

s/Stephen Krous

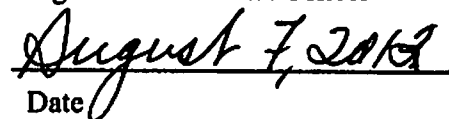
Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer


Date